THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

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WRIT PETITION NO.1774 OF 2006

Date: 31-01-2006

Between:

M/s GMR Industries Limited (Metallurgical Division) …Petitioner

And

The Commercial Tax Officer and others

…Respondents

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O R D E R (Per the Hon'ble Sri Bilal Nazki, J):

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Heard learned counsel for the parties and with their consent, the writ petition is being disposed of at this stage.

The only grievance of the petitioner is that an appeal is pending before the Tribunal against the order of imposing penalty. Along with the appeal, an application for stay was filed before the Tribunal, which was heard on 22-11-2005 and adjourned. In the meantime, the respondents are trying to recover the disputed amounts. Since the stay application has already been taken up for hearing as early as on 22-11-2005, therefore, we think the interest of justice would be met if the recovery and also the operation of the garnishee notice is stayed till the application is disposed of by the Tribunal. The Tribunal may dispose of the application within a period of four weeks from the date of receipt of a copy of this order. For this period, the recovery and also the operation of the garnishee notice shall remain stayed.

The writ petition is accordingly disposed of. No order as to costs.

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(Bilal Nazki, J)

31st January, 2006

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(D.Appa Rao, J)

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Note: Issue wire at party's cost

B/o

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